



## OVERVIEW

### Key Concepts of Forensic Science

- Applications of a scientific method, tool, or technique to aid an investigation or judicial proceeding
- Used to support or refute hypotheses about how an event occurred
- Results integrated into the investigation, part of a larger story
- Many subdisciplines

#### Forensic laboratory



#### Medical examiner



### Characteristics of Forensic Data and Results

- Specific and complete, including caveats or limitations
- Reproducible; another forensic scientist provided with the same evidence and information should obtain the same results
- Falsifiable; results must be stated such that they can be tested for accuracy and completeness. A specific DNA profile or a specific blood alcohol measurement is falsifiable because the results can be confirmed by scientific testing
- Relevant to the case at hand. The analysis of a bloodstain sample would be done to obtain the DNA profile; cholesterol level in the blood is irrelevant

### Selected Historical Figures

- Alphonse Bertillon (1853–1914; French)
  - Used measurements of physical features for identification called anthropometry or Bertillonage. Replaced by fingerprinting
- Francis Galton (1822–1911; English)
  - Fingerprints
- Alexander Genter (1883–1968; American)
  - Forensic toxicology. Performed chemical analysis for the New York Office of Chief Medical Examiner (OCME)
- Calvin Goddard (1891–1955; American)
  - Comparison microscopy and firearms
- Hans Gross (1847–1915; Austrian)
  - Coined the term criminalistics

- Alec Jefferys (1950–; English)
  - Developed early DNA testing methods
  - First to use DNA typing in a criminal matter (Colin Pitchfork case)
- Paul Kirk (1902–1970; American)
  - Generalist and educator
- Edmond Locard (1877–1966; French)
  - Trace evidence. Opened an early forensic laboratory
  - Credited for Locard's Exchange Principle, paraphrased as "every contact leaves a trace"
- Charles Norris (1867–1935; American)
  - Physician. Early head of the OCME
- Mathieu Orfila (1787–1853; Spanish)
  - Worked in Italy and France. Forensic toxicologist and educator
  - Utilized the Marsh test for arsenic in the LaFarge case
- Bernard Spilsbury (1877–1947; English)
  - Physician and forensic pathologist

### Bias and Human Error

- Bias can cause results of a forensic analysis to be influenced by factors other than evidence and testing results
- Usually unintended and unconscious
- Can be caused by **contextual information** irrelevant to the case
- **Confirmation bias** can occur if a specific result is anticipated or expected
- Prosecutorial bias/defense bias favors a specific side in the dispute

### Interface with the US Legal System

- US legal system**
- Legal system designed to settle disputes
  - **Adversarial**: based on comparing competing arguments
  - Criminal cases
    - Accused/defendant vs. government (local/state/federal)
    - Prosecution vs. defense
    - **Burden of proof** on prosecution
    - Standard of proof: beyond a reasonable doubt
  - Civil cases
    - Individual vs. individual, corporations, companies, etc.
    - Plaintiff vs. defense

### Quality assurance/quality control (QA/QC)

- Practices and procedures used to ensure that forensic data are relevant and trustworthy
- Cradle-to-grave process—from evidence creation to final disposition
  - Forensic laboratories can be **accredited**
  - Analysts may be **certified** in some disciplines

- Burden of proof on prosecution
- Standard of proof: preponderance of evidence
- **Jurisdiction**: the entity empowered to hear a case—local (town, city, county), state, and federal
- Decision rendered by **trier of fact** (judge or jury)
- Relies on precedent—rulings by previous courts

### US Rules of Evidence

- Process to allow evidence to be presented in a legal proceeding
- Evidence is admissible if it meets **admissibility standards**
- Applies to forensic results and data
- Admissibility standards vary across jurisdictions
- **Frigo standard**
  - Informally called **general acceptance** admissibility standard
  - 1923 ruling
  - Decision to reject admission of polygraph (lie detector) test
  - Court ruled that to admit new type of test, it must have been accepted within that scientific discipline
- Federal Rules of Evidence
  - Congressionally enacted 1975
  - Frequently updated
  - Applies to federal jurisdictions
  - Adopted by other jurisdictions
  - Guidelines for expert testimony
- **Daubert standard**
  - Informally called gatekeeper standard
  - 1993 ruling in civil case
  - Trial judge to make admissibility decision; judge as **gatekeeper**
  - Ruling provided guidelines for making this decision
  - Included general acceptance, validation of method, standards, limitations, and potential errors
  - Part of **Daubert trilogy** of cases
- **Joiner decision**
  - Second of Daubert trilogy
  - 1997 ruling in civil case
  - Scientific evidence must be directly relevant
- **Kumho decision**
  - Third case of Daubert trilogy
  - 1999 ruling in civil case
  - Extended definition of expert beyond traditional sciences

- Methods executed by **standard operating procedure (SOP)**
- **Traceability**: ability to trace result directly to nationally/internationally accepted standard
- **Control samples** analyzed with evidence
- Results reviewed by colleagues (**peer review**)
- Data reviewed and confirmed

### Laboratory accreditation



### Analyst certification

- Identify issues
- Implement corrective action
- Prevent future occurrences

# Forensic Science Study Guide Year 7

**Karin Nielsen-Saines**



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